

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
JOHN COTTAM,	:	
	:	
Plaintiff,	:	
	:	16 Civ. 4584 (LGS)
-against-	:	
	:	
GLOBAL EMERGING CAPITAL GROUP, LLC,	:	<u>ORDER</u>
et al.,	:	
	:	
Defendants.	:	
-----	X	

LORNA G. SCHOFIELD, District Judge:

WHEREAS, on February 19, 2021, at 4:16 p.m., Plaintiff sent the e-mail attached as Exhibit A, and the Affidavit of Steros Christoforou (the “Affidavit”) attached as Exhibit B, to the Court.

WHEREAS, on February 19, 2021, at 5:20 p.m., Defendant sent the e-mail attached as Exhibit C to the Court.

WHEREAS, on February 19, 2021, at 5:59 p.m., Plaintiff sent the e-mail attached as Exhibit D to the Court.

WHEREAS, on February 19, 2021, at 6:11 p.m., Plaintiff sent the e-mail attached as Exhibit E, and the accompanying Federal Express tracking form, attached as Exhibit F to the Court.

WHEREAS, on February 19, 2021, at 6:11 p.m., Defendant sent the e-mail attached as Exhibit G to the Court.

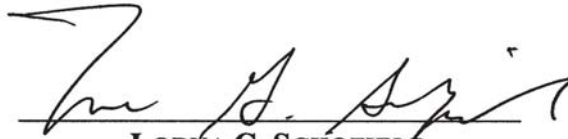
WHEREAS, on February 19, 2021, at 6:34 p.m., Plaintiff sent the e-mail attached as Exhibit H to the Court. It is hereby

ORDERED that, the Court has received the Affidavit without prejudice to objections as to its admissibility at trial. Defendant shall submit any objections to the Affidavit with the Final Pretrial Order.

The parties are reminded that pursuant to Individual Rule I.B they should not e-mail

Chambers unless directed to do so, and that all communications with Chambers shall be by letter and shall be filed via ECF.

Dated: February 22, 2021
New York, New York

A handwritten signature in black ink, appearing to read 'Lorna G. Schofield', written over a horizontal line.

LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

EXHIBIT A

From: [rex.valentino](#)
 To: [Schofield NYSD Chambers](#)
 Subject: Re; Steros Christoferu affidavit.
 Date: Friday, February 19, 2021 4:16:51 PM
 Attachments: [sterosAff.pdf](#)

CAUTION - EXTERNAL:

Hello Dr Cottam here. I am sorry but I have been confused and given misleading information. In the order before this one. I was given : "By February 18, 2021, Plaintiff shall provide the Affidavit of Steros Christofero to Defendants counsel via email or by Federal Express, and to the Court by email to Chambers."

Thats all I saw..

I called the pro se intake unit and was told that ALL communications by pro se MUST go through the temporary email... which I did send Mr. Christoferou's affidavit to.. Also. Perhaps because of covid delays.. his affidavit has not been entered when his direct mailing was received (we have Fed ex confirmation) on Feb. 11, at 11 am.. 8 days ago.?

As such. I sent it to the pro se email two days ago, and received confirmation of this.. and to Defendants counsel. It is attached here.

Also in your latest order, it gave as the email address" e-mail to Chambers (Schofield_NYSDChambers@nysd.uscourts.gov) is Schofield right?

Is this the correct address or is it Schofield_NYSDChambers@nysd.uscourts.gov)

I am sending this to both emails to make sure?

Thank you.

Beauty is MORE than skin deep. me

Want to join my email list to get more information and educational materiel? Click here: [Click Here!](#)

<https://visitor.r20.constantcontact.com/d.jsp?llr=asaysr5ab&p=oi&m=1132313969216&sit=hqd9qignb&f=268d2fea-7468-4a86-a959-a3a3a3bb0e23>

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because "skin" is in the saying... I have looked upon that statement as being slightly Negative - even though I know it truly isn't really meant to be - it really means something like another old saying : "Don't judge a book by it's cover..".?? In other words.. beautiful things can be bad inside...?? Yes, this is true.

However, on thought about this subject, I decided to come upon a more positive angle to the saying, and so decided that I would coin (create)?? this phrase which adds some positivity: In other words, If you see something beautiful... assume also that

it is beautiful inside, in that all of us are hopefully "beautiful" even if not in the physical sense, then realize that beauty is MORE than skin deep.... and you will look upon everyone with that positivity that generates respect and warmth rather than fear and cold-heartedness....?? I am always trying to live up to my own words as well....

CAUTION - EXTERNAL EMAIL: This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

EXHIBIT B

maria cummings <yinyang1019@gmail.com>

John

1 message

Soc Chris <socchris999@gmail.com>

Wed, Feb 10, 2021 at 12:32 PM

To: yinyang1019@gmail.com

Affidavit of Steros Christoforou

My name is Steros Christoforou. I am a licensed financial advisor, employed with Phoenix Financial Services in New York, New York. I have been licensed as a financial advisor since 2001.

I, Steros Christoforou, swear that the information in my sworn statement here is true to the best of my knowledge and recollection.

I was asked by Dr. Cottam some time in the spring of 2015 to help him with getting his stock unrestricted in a company with the ticker symbol SIXD.

Dr. Cottam informed me long ago he was going to call me as a witness in this case. I believe my personal involvement and understanding of the issues at hand should assist the court in determining what truly happened, and as such, determine a just assessment of damages.

Dr. Cottam and I knew each other from previous investments. One of those investments, DEER (a Benjamin Wey deal) ended up costing Dr. Cottam over \$3,000,000. As such, both Dr. Cottam and I never wanted to engage in any dealings with what had become known as "Chinese reverse mergers" again.

In this case, Dr. Cottam bought stock in what he referred to as a holding company and that these stocks were supposed to be transferred into a newly formed publicly traded company (SIXD) once a merger between two companies (one of them being CTEK) occurred.

Dr. Cottam spoke to me several times about this issue, and said he was being lied to by Radnor (the brokerage) and their broker Alexander Kibrik.

Specifically, Dr. Cottam told me he had problems getting his stock unrestricted, and that Alexander Kibrik lied to him about various things including Radnor's CEO filing a law suit against the company SIXD.

Apparently it is also at about that time in early 2015 that Dr. Cottam told me he found out how many shares SIXD had actually given him (substantially less than he acquired via the ppm) and that Benjamin Wey was involved.

Dr. Cottam told me that when he challenged Kibrik on the involvement of Benjamin Wey, he was told that Benjamin Wey had no control over the company and was just another investor like him. If this is true, this turned out to be a lie by Kibrik.

Dr. Cottam told me he was told there was a restriction of the Units of stock he bought in the holding company but he expected there to not be any restrictions on the stock once it had been transferred into the publicly traded SIXD. I told him that a 6 month lock-up after that was standard and he said Alexander Kibrik told him that too, but there was never any mention of any need or process to follow to unrestrict the stocks after that 6 months ended.

He informed me that when the 6 month lock-up period ended and his stock was supposed to be automatically unrestricted, he contacted Kibrik to get his stock, and was told only then of the issues in getting the stock unrestricted. Apparently, SIXD was asking for a legal opinion letter, among other things, to unrestrict the stock.

Dr. Cottam told me that he knew something was seriously wrong, and felt that they would do all they could to keep his stock restricted.

Dr. Cottam had spoken to me some time in 2015 about the e-mail communications between SIXD and representatives of Radnor. Recently, he sent me e-mail copies of these. In these emails, it is shown that the stock indeed originally was supposed to be automatically cleared after 6 months from Sept. 29, 2014.

In those e-mails it is also shown that some time after December 3, 2014 SIXD had changed its position and that an opinion letter would be required.

This issue of CTEK and SIXD being shell companies, and the merger that formed SIXD being a reverse merger as opposed to a normal merger are beyond extremely important for several reasons besides any third party interested in "damages".

By 2014, thousands of people in the financial world had lost hundreds of millions, if not billions, of dollars in failed foreign (mostly Chinese) reverse mergers.

There were cases where the factories invested in were actually shuttered, there were cases in which the product never even existed, and there were numerous cases in which the company was really quite minor, and really had no significant earnings or even potential earnings, but the stock price was illegally manipulated to extreme heights, and then would crash later (also known as a pump-and-dump).

This would often leave the investors with a complete loss, while the perpetrators ended up making tens, sometimes hundreds of millions, on one deal. Investors were no longer interested in such mergers, no matter how sincere the deal appeared.

In a reverse merger, a company that has not gone through the rigorous challenges needed to obtain their own ticker symbol on the NASDAQ or other stock exchanges, simply merges with a company that has no tangible assets whatsoever, but does have one very valuable asset; a NASDAQ or other exchange ticker symbol that is active.

Even without outright fraud, the fact is that many of the companies brought to the exchanges this way never had and never obtained afterward, the proper accounting and financial controls to remain listed or viable. So, even without blatant fraud, many of these companies were delisted due to accounting, administrative, or fiscal issues. This is why nobody wanted to invest in them.

Directly relating to this case, since DR. Cottam had been lied to by Radnor and SIXD about the nature of the shell company status and reverse merger status of the deal, without any direct communication stating so, investors would not know in any way that any special actions would be required for them to get his stock cleared. In other words, just as promised, he would assume his stock would be automatically cleared 6 months after Sept. 29, 2014. ,

At the time, Dr Cottam was extremely concerned, and had me transfer his shares from Radnor into an account at my firm, and from there we started on the task of getting his stock cleared.

With respect to the shares he received, Dr. Cottam informed me that he purchased 2,900,000 shares and only got approximately 420,000 instead. Dr. Cottam explained to me that SIXD and their lawyer Uchimoto claimed that reverse splits of CTEK prior to the merger they were engaged in directly affected his share number by a factor of 6.9.

Later, I told him that I agreed since the PPM (which Dr. Cottam sent me a copy of) stated, in more than one place, a 1:1 conversion to occur when the merger happened. Dr. Cottam said that is exactly why there was such a problem. He stated he knew this was a flat out fraud.

First, we had to obtain an opinion letter from a lawyer. Dr. Cottam had one letter sent from a lawyer in Tampa, but the wording was not correct, and Dr. Cottam asked if I knew anyone in New York.

I directed him to Mr. Bursky, who complied with SIXD's requests, but we continually ran into problems with SIXD claiming the language was incorrect, or that they had not received the letter(s) etc..

SIXD denied our applications arbitrarily, and were at most times unresponsive to direct and simple questions. They demanded additional documentation, changed their requests, then demanded "original" copies, etc.. Because of this , I spent months on this.

As just one example from an email from Han Dang to Dr. Cottam on Aug. 10, 2014: "Hi John, Legal has the following comments on your legal opinion: It should be addressed to the transfer agent and not you. The date in paragraph 6 should be the 10Q due date of August 14, 2015 (or if delivered after that date, then the next 10Q due date of November 16). Please adjust and resend."

Yet, when this was resent and rejected again by SIXD, Han Dang responded to Dr. Cottam in an Aug. 12, 2014 email: "It was rejected because you sent it directly to Interwest [the transfer agent]. Instructions in the policy clearly states to send it directly to me." These were the types of delays we were experiencing weekly, even daily.

One of our team members, John McHoul involved. He contacted the transfer agent (Interwest) who told him just as we suspected, that they could not place a sell order without clearance of the stock.

From Mr. McHoul's email to Han Dang Dated August 14, "Han, as per your Transfer Agent Interwest (attached), we cannot execute a sell for these shares until you approve the restriction removal with Interwest to avoid a buy in. Upon

removal of restriction we will begin to sell the stock. Confirmation of sells will be submitted to you and copies also sent to Interwest. Please expedite this approval, if there are any issues please email me immediately."

And from Mr. Bursky's email to Han Dang on August 13, 2014 copied to me: "As you know, I am counsel to Dr. Cottam. The ongoing efforts to have the restriction lifted have become more confusing to me than they were before. At this time, I ask that you kindly send an email enumerating precisely each and every document that needs to be submitted, and what other things that must be done (including supplying or additional documentation or information in documents previously furnished, so that Dr. Cottam and I can take care of this in one fell swoop instead of in piecemeal fashion. We'd like to know that once we have met what you require as articulated in the email I have requested, it is a "done deal" so to speak, and that the restriction will be lifted without further ado".

From an even earlier email from Mr. Bursky to me in response to an email from Han Dang asking for things that had already been sent, Dated July 17: "That's why I wanted you to follow up. It's a jerk around."

And from a June 23 email from Mr. Bursky to Dr. Cottam copied to me: "As soon as you get hold of Steros he ought to be able to submit the entire package. I will keep my fingers crossed but I suspect this will not be the end of the matter. I hope for you it will be."

And from a June 22 email from Mr. Bursky to Dr. Cottam copied to me: "The company's requirements are even more ridiculous than I first realized. For example, does the company really think that I can, without equivocation, represent that any shareholder does not have non-public information. Of course you do not, but how can I possibly represent that? That is one example."

Dr. Cottam had originally sent me a list of requirements directly from Han Dang at SIXD, and it is that list that we and Mr. Bursky adhered to. It is attached here as Exhibit A.

Mr. Bursky sent them a letter complying with all of their requests in June, 2014. It is attached here as Exhibit B.

Then, after we had fully complied with SIXD's requests, they changed the rules again. They sent Dr. Cottam a revised request list of needs, with the latest one asking for: "Please include a sell order in your submittal". Please see Exhibit C.

In their revised request list, they also stated that: "Rule 144 does not permit the restrictive legend to be removed from a stock certificate unless the shares have been sold". Please see Exhibit C.

Rule 144 does not require this, or all similar securities would have to have sell orders before they could be unrestricted. The very fact that a stock is "restricted" means it cannot be sold on the open market.

If this were true, everyone in wall street would therefore be extremely familiar with such a process, and this simply is not the case. In fact, not one person I knew was familiar with any such process.

As far as I knew (and all my colleagues I spoke to about the situation knew), it was impossible to obtain a sell order for shares in a publicly traded company that are restricted. I had never heard of such a situation, and have not heard of it again since. The lawyers I spoke to also were not familiar with such a request.

Regardless, Dr. Cottam in his talks with me was extremely distressed, and we pressed forward.

As such, the process involved a completely unnecessary process that it delayed Dr. Cottam's clearing of the stock by at least another 2 months.

I cannot see any reason for the outrageous and changing requirements presented and the original non-disclosure of these onerous requirements other than to thwart the clearing of a legitimately held stock. The lawyer who we eventually got to assist in the process who had several decades of litigating financial cases in New York (Mr. Bursky) concurred.

Mr. Bursky was known to me from previous cases, which is how Dr. Cottam came to hire him.

I could copy more examples here regarding the delays, but I think those listed above should be enough to suffice to give the court some idea of what we were up against. I have never before or since seen such a concerted effort to delay clearing of any stock. There were far too many issues involved for it not to have been done on purpose.

Dr. Cottam's knowledge of the behavior of the major player (Mr. Benjamin Wey) and the lies he was told by everyone involved from the brokerage (Radnor and their broker Kibrik) to the Company (SIXD/Tejune Kang and his executive assistant Ms. Han Dang and their counsel (William Uchimoto)), led him to believe the stock would follow the same pattern as most of Benjamin Wey's schemes in the past; the stock price would crash.

Not only that, but Dr. Cottam said he knew the stock would likely soon become delisted as most of Benjamin Wey's other

deals.

Dr. Cottam's insight was completely correct, as this is exactly what happened.

Benjamin Wey was indicted in September 2015 on federal charges of securities fraud, stock manipulation, money laundering, and wire fraud. He was accused of profiting from undisclosed, controlling ownership interests in several companies in the United States.

SIXD was delisted two days after the announcement of Benjamin Wey's indictment along with one of his co-conspirators William Uchimoto (the same lawyer for Radnor, and SIXD).

Dr. Cottam informed me that William Uchimoto was the representative he was put in touch with by Radnor when Dr. Cottam tried to get information from them. However, due to Dr. Cottam's diligence, he pushed us (with me and Mr. Bursky spending countless hours) to hastily comply with the ever-changing requests from SIXD and fortunately got his stock sold with a small profit literally a few weeks before it was delisted.

I hope this clears up the fact that had a normal or even properly communicated and timely process occurred with Dr. Cottam's stock, he would have been able to sell his stock probably in the \$8 range rather than the just over \$2 he was able to sell at.

If not for his and mine and Mr. Bursky's aggressive approach, Dr. Cottam would have lost all of his \$870,000, but he and we were all truly saddened to learn that most if not all other investors lost everything, including the thousands of people who invested in the public SIXD stock that was delisted.

I hope this gives the court some insight into what happened with this case, and I cannot emphasize enough how SIXD's actions directly effect the damages Dr. Cottam and other investors incurred.

EXHIBIT C

From: [Tom M. Fini](#)
To: [Schofield NYSD Chambers](#)
Cc: [rex valentino](#); [Adam Sherman](#)
Subject: Re: Re; Steros Chrstoforpu affidavit.1:16-cv-04584
Date: Friday, February 19, 2021 5:20:32 PM

CAUTION - EXTERNAL:

Dear Judge:

The defendants were not copied to the affidavit. The plaintiff rudely did not copy us. Can you please send us the affidavit, since we still do not have it. Thank you.

Respectfully,

Tom M. Fini, Esq.
CATAFAGO FINI LLP
The Empire State Building
350 Fifth Ave., Suite 7710
New York, NY 10118
212.239.9669 tel
212.239.9688 fax
917.561.4143 cell
www.catafagofini.com

On Feb 19, 2021, at 4:53 PM, Schofield NYSD Chambers
<Schofield_NYSDChambers@nysd.uscourts.gov> wrote:

Good Afternoon,

Thank you for sending the Affidavit of Steros Christoforou.

Best regards,

From: rex valentino <skinmd@hotmail.com>
Sent: Friday, February 19, 2021 4:23 PM
To: Schofield NYSD Chambers <Schofield_NYSDChambers@nysd.uscourts.gov>
Subject: Fw: Re; Steros Chrstoforpu affidavit.1:16-cv-04584

CAUTION - EXTERNAL:

From: rex valentino <skinmd@hotmail.com>

Sent: Friday, February 19, 2021 4:15 PM

To: Schofield_NYSDChambers@nysd.uscourts.gov

[<Schofield_NYSDChambers@nysd.uscourts.gov>](mailto:Schofield_NYSDChambers@nysd.uscourts.gov)

Subject: Re; Steros Chrstoforpu affidavit.

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[llr=asaysr5ab&p=oi&m=1132313969216&sit=hqd9qjgnb&f=268d2fea-7468-4a86-a959-a3a3a3bb0e23](https://visitor.r20.constantcontact.com/d.jsp?llr=asaysr5ab&p=oi&m=1132313969216&sit=hqd9qjgnb&f=268d2fea-7468-4a86-a959-a3a3a3bb0e23)

....there is an Old English saying... in fact.. it is so old...perhaps it is Chinese or African, for that mattter..

you have heard it I'm sure in your own language.. it is old as the hills.... - in English, it is:?? "Beauty is ONLY skin deep....".

Being that I am a Dermatologist, and looking at that statement from not just a dermatologist's perspective, but one who has interest in the words....

because "skin" is in the saying... I have looked upon that statement as being slightly Negative - even though I know it truly isn't really meant to be - it really means something like another old saying : "Don't judge a book by it's cover..".?? In other words.. beautiful things can be bad inside...?? Yes, this is true.

However, on thought about this subject, I decided to come upon a more positive angle to the saying, and so decided that I would coin (create)?? this phrase which adds some positivity: In other words, If you see something beautiful... assume also that it is beautiful inside, in that all of us are hopefully "beautiful" even if not in the physical sense, then realize that beauty is MORE than skin deep.... and you will look upon everyone with that positivity that generates respect and warmth rather than fear and cold-heartedness....?? I am always trying to live up to my own words as well....

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EXHIBIT D

From: [rex.valentino](#)
 To: [Schofield NYSD Chambers](#)
 Cc: [Tom M. Fini](#); [Adam Sherman](#)
 Subject: Fw: Cottam v. 6D, et al. 16-cv-4584
 Date: Friday, February 19, 2021 5:59:56 PM
 Attachments: [sterosAff.pdf](#)

CAUTION - EXTERNAL:

Dear Judge Schofield, Defendants claim that I "rudely" did not copy them is not true at all. The truth is I copied it to them in this forwarded email (this email you are receiving is an email I sent to Defendants counsel on Wednesday (see date and parties addressed below) ; to them. Please look at the email date below.. It is Wednesday: "**Sent:** Wednesday, February 17, 2021 10:55". .. this is a forwarded copy of the email I directly sent to them 2 days ago. In other words, it was not only sent to Mr. Fini but his assistant as well. Furthermore, when I asked if they received it I got no reply.

Also.. as the affidavit was sent directly to the pro se temporary email intake.. I do not know why nobody has it even through that source that I sent it to 2 days ago as well. In addition, it was received delivered by Fed ex on Feb 11.. eight days ago.

I have also asked Mr. Fini to send me a copy of the pretrial paper due on the 22nd for review today.. I never received it.. I have sent several emails now asking then about this issue and have not heard back from Defendants counsel. I will have no time to review it then when it is due Monday unless it is sent to me over the weekend.. I would like to know if the Court is OK with me sending my portion of it in.. I have sent several emails now asking then about this issue and have not heard back from Defendants counsel.

John Cottam, Pro see.

Beauty is MORE than skin deep. me

Want to join my email list to get more information and educational materiel? Click here:

[Click Here!](#)

<https://visitor.r20.constantcontact.com/d.jsp?llr=asaysr5ab&p=oi&m=1132313969216&sit=hqd9qignb&f=268d2fea-7468-4a86-a959-a3a3a3bb0e23>

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From: rex valentino <skinmd@hotmail.com>
Sent: Wednesday, February 17, 2021 10:55 AM
To: Tom M. Fini <tom@catafagofini.com>
Cc: Adam Sherman <adam@catafagofini.com>
Subject: Re: Cottam v. 6D, et al. 16-cv-4584

Hell.. Sorry, Unfortunately.. I never saw a draft.. Because Steros didnt get all the emails in time (thumbdrive was lost and I had to resend it...) the deadline didnt allow time for any of that.. His affidavit (without a signature) copy that I received was sent to you guys yesterday.. did you get it? I do not have the original. It was sent directly to the court and was received - we have fedex tracking showing it was received.
I have attached it again.

I am going to be out of town this weekend so would like to review the list of joint facts before then to make sure it is correct.. Please send it over tomorrow if possible. Please let me know..
Thanks.

Beauty is MORE than skin deep. me
Want to join my email list to get more information and educational materiel? Click here:
[Click Here!](#)

[https://visitor.r20.constantcontact.com/d.jsp?
llr=asaysr5ab&p=oi&m=1132313969216&sit=hqd9qjgnb&f=268d2fea-7468-4a86-a959-
a3a3a3bb0e23](https://visitor.r20.constantcontact.com/d.jsp?llr=asaysr5ab&p=oi&m=1132313969216&sit=hqd9qjgnb&f=268d2fea-7468-4a86-a959-a3a3a3bb0e23)

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From: Tom M. Fini <tom@catafagofini.com>
Sent: Tuesday, February 16, 2021 2:03 PM
To: rex valentino <skinmd@hotmail.com>
Cc: Adam Sherman <adam@catafagofini.com>
Subject: Re: Cottam v. 6D, et al. 16-cv-4584

Dear Dr. Cottam:

In a day and age where everyone has electronic documents and email, there is no good reason for the affidavit to be have been only sent by mail. This obviously prejudices us by not having the document.

You and he must have a copy of the document, in the very least in the Word format before it was finalized and sent. We please need a copy of the affidavit now. Please send us a Word or Pdf copy of the document now. You must have seen a draft yourself or you would not have wished to include it. We please need it now. Please respond. Thanks.

Tom M. Fini, Esq.
CATAFAGO FINI LLP
The Empire State Building
350 Fifth Ave., Suite 7710
New York, NY 10118
212.239.9669 tel
212.239.9688 fax
917.561.4143 cell
www.catafagofini.com

From: rex valentino <skinmd@hotmail.com>
Date: Tuesday, February 16, 2021 at 1:57 PM
To: Adam Sherman <adam@catafagofini.com>
Cc: Tom M. Fini <tom@catafagofini.com>
Subject: Re: Cottam v. 6D, et al. 16-cv-4584

Steros sent his by mail.. It should have been received by now.. but yes I consent to that delay

Beauty is MORE than skin deep. me

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From: Adam Sherman <adam@catafagofini.com>

Sent: Tuesday, February 16, 2021 10:31 AM

To: rex valentino <skinmd@hotmail.com>

Cc: Tom M. Fini <tom@catafagofini.com>

Subject: Cottam v. 6D, et al. 16-cv-4584

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EXHIBIT E

From: [Tom M. Fini](#)
To: [Schofield NYSD Chambers](#)
Cc: [Adam Sherman](#); [rex.valentino](#)
Subject: Re: Cottam v. 6D, et al. 16-cv-4584
Date: Friday, February 19, 2021 6:10:45 PM

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Cc: Adam Sherman <adam@catafagofini.com>

Subject: Re: Cottam v. 6D, et al. 16-cv-4584

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From: Tom M. Fini <tom@catafagofini.com>
Sent: Tuesday, February 16, 2021 2:03 PM
To: rex valentino <skinmd@hotmail.com>
Cc: Adam Sherman <adam@catafagofini.com>
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[llr=asaysr5ab&p=oi&m=1132313969216&sit=hqd9qjgnb&f=268d2fea-7468-4a86-a959-a3a3a3bb0e23](https://visitor.r20.constantcontact.com/d.jsp?llr=asaysr5ab&p=oi&m=1132313969216&sit=hqd9qjgnb&f=268d2fea-7468-4a86-a959-a3a3a3bb0e23)

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EXHIBIT F

Shipment Receipt

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UNITED STATES	PHOENIX FINANCIAL
DISTRICT COURT	
500 PEARL STREET	100 WALL STREET
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ROOM 820	
NEW YORK, NY	NEW YORK, NY
10007	10005
US	US
212-805-0175	2127764187

CASE # 1:16-CV-04584

Shipment Information:

Tracking no.: 772880273400
 Ship date: 02/10/2021
 Estimated shipping charges: 8.89 USD

1/11/2021
 @ 11:03 AM

Package Information

Pricing option: FedEx Standard Rate
 Service type: Priority Overnight
 Package type: FedEx Envelope
 Number of packages: 1
 Total weight: 0.50 LBS
 Declared Value: 0.00 USD
 Special Services:
 Pickup/Drop-off: Drop off package at FedEx location

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Shipment Receipt

Address Information

Ship to:

JOHN COTTAM

802 CENTERBROOK DR

BRANDON, FL
33511
US
8139824210

Ship from:

Steros
PHOENIX FINANCIAL
100 WALL STREET
10TH FLOOR
NEW YORK, NY
10005
US
2127764187

Shipment Information:

Tracking no.: 772880513777
Ship date: 02/10/2021
Estimated shipping charges: 20.23 USD

Package Information

Pricing option: FedEx Standard Rate
Service type: Priority Overnight
Package type: FedEx Envelope
Number of packages: 1
Total weight: 0.50 LBS
Declared Value: 0.00 USD
Special Services: Residential Delivery
Pickup/Drop-off: Drop off package at FedEx location

*D. 1/11/21
@ 10:31 AM*

Billing Information:

Bill transportation to: PHX NEW YORK-953
Your reference:
P.O. no.:
Invoice no.:
Department no.:

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Please Note

FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$1000, e.g., jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits; Consult the applicable FedEx Service Guide for details. The estimated shipping charge may be different than the actual charges for your shipment. Differences may occur based on actual weight, dimensions, and other factors. Consult the applicable [FedEx Service Guide](#) or the FedEx Rate Sheets for details on how shipping charges are calculated.

EXHIBIT G

From: [Tom M. Fini](#)
To: [Schofield NYSD Chambers](#)
Cc: [Adam Sherman](#); [rex.valentino](#)
Subject: Re: Cottam v. 6D, et al. 16-cv-4584
Date: Friday, February 19, 2021 6:10:45 PM

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Sent: Tuesday, February 16, 2021 2:03 PM
To: rex valentino <skinmd@hotmail.com>
Cc: Adam Sherman <adam@catafagofini.com>
Subject: Re: Cottam v. 6D, et al. 16-cv-4584

Dear Dr. Cottam:

In a day and age where everyone has electronic documents and email, there is no good reason for the affidavit to be have been only sent by mail. This obviously prejudices us by not having the document.

You and he must have a copy of the document, in the very least in the Word format before it was finalized and sent. We please need a copy of the affidavit now. Please send us a Word or Pdf copy of the document now. You must have seen a draft yourself or you would not have wished to include it. We please need it now. Please respond. Thanks.

Tom M. Fini, Esq.
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Beauty is MORE than skin deep. me

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Sent: Tuesday, February 16, 2021 10:31 AM

To: rex valentino <skinmd@hotmail.com>

Cc: Tom M. Fini <tom@catafagofini.com>

Subject: Cottam v. 6D, et al. 16-cv-4584

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--

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Counsel - Catafago Fini LLP

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350 Fifth Ave., Suite 7710

New York, New York 10118

Tel: (212) 239-9669

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<sterosAff.pdf>

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EXHIBIT H

From: [rex valentino](#)
 To: [Schofield NYSD Chambers](#)
 Subject: Fw: Cottam v. 6D, et al. 16-cv-4584 Re Steros Christoforou Affidavit
 Date: Friday, February 19, 2021 6:34:07 PM

CAUTION - EXTERNAL:

Dear Judge Schofield, I am forwarding you this email chain as well - Please see here also emails that show Defendants received what I have.. I never told anyone I had the signed copy.. I never received one.. I never "rudely" did anything.,

I copy here from what is in the below emails from me this past Wednesday to Mr Fini: " OK.. I asked him about the copy and he said it was identical.. nothing changed.. I will see if he kept a copy.. I kind of doubt it.. but who knows.. I dont know why he didnt make a copy of the signed one.. I guess he's not used to doing them... I am not either.. And.. I told him it had to be in by last friday.. so he sent it by then apparently.. but the court hasnt processed it yet." And before that, I had a communication from Mr Fini to me earlier that same day: "We have what you sent, but we don't have the affidavit as sent to the Court.

Regards,

Tom M. Fini, Esq."

So.. as can be seen, a few days ago, Defendants' counsel had as much as I ever had and have, and they said they received what I had sent.. which was the only copy I had /have.. and I never told anyone I have a signed copy.

Thank you John Cottam pro se.

Beauty is MORE than skin deep. me

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From: rex valentino <skinmd@hotmail.com>
 Sent: Wednesday, February 17, 2021 12:39 PM
 To: Tom M. Fini <tom@catafagofini.com>
 Cc: Adam Sherman <adam@catafagofini.com>
 Subject: Re: Cottam v. 6D, et al. 16-cv-4584

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On Feb 17, 2021, at 10:55 AM, rex valentino <skinmd@hotmail.com> wrote:

Hell.. Sorry, Unfortunately.. I never saw a draft.. Because Steros didnt get all the emails in time (thumbdrive was lost and I had to resend it...) the deadline didnt allow time for any of that.. His affidavit (without a signature) copy that I received was sent to you guys yesterday.. did you get it? I do not have the original. It was sent directly to the court and was received - we have fedex tracking showing it was received.

I have attached it again.

I am going to be out of town this weekend so would like to review the list of joint facts before then to make sure it is correct.. Please send it over tomorrow if possible. Please let me know.. Thanks.

Beauty is MORE than skin deep. me

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